Revenue

App. F. IX-4

1927-8

File No. 98-27

Previous References (LB)

Serial Nos. 1 & 2

ppg

Later References

General and Revenue Secretariat.

Serial Nos. Two

Part B for January 1928

SUBJECT

Establishment of 4 cattle pounds in Village Panchayet areas

2. To The D.C. Bangalore
The DCs of other Dts
The Revenue Commissioner Bangalore

G.O. no. L. 41-35-43. Dt 20-1-1928
Vests the power of establishing new cattle pounds with the magistrates of the Dts

Revenue
27-3-28

General and Revenue Secretariat. | L/B File No. 98 of 1927.

Serial No.

Letter No. C-9-1319/27-Rg. 12-10-27 from the Dy Comr, Bangalore Dist.

Requests early orders as to the authority that should take steps in the establishment of Cattle-Pounds in the Village Panchayat areas.

Under G.O. No. 10181-99/L.B 1-14-71 Rg dtd 15th June 1915, the Powers and functions of the Magistrate of the District under Sections 4, 5, 6, 12, 14 and 17 of the Cattle Trespass Act of 1871 as Amended by Regn VIII of 1892, were entrusted to the Presidents of District Boards and Taluk Councils.

After the passing of the Village Panchayat Regn II of 1926, the Panchayats have been entrusted with the management and maintenance of Cattle pounds within their jurisdiction and under the Rules issued under the V.P. Regn the functions of the Magistrate of the District under Sections 6, 12 and 17 of C. T. Act have been transferred to the Panchayats in respect of pounds within their local jurisdiction. (Vide Govt Notfn No. L 4509/Ls 26-26-1308 12-1-27).

By the Govt Notfn of the 12th Jany 1927 which supersedes the G.O of the 15th June 1915 referred to above and the power of establishing cattle pounds

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

17297

App. F. III—2]

General and Revenue Secretariat. | File No. 98 of 1927

Serial No.

in the Panchayet area under Section 4 of C.2. Act reverts to the District Magistrate and the view expressed by the Dy Comr. seems to be tenable.

4.11.27 6/5/11

Yes. Abt for consideration.

17/4

Draft is submitted for appl.

23/11/27 24/11

The functions of the Govt of Mysore or the Magistrate of the District under the Cable Wires Act can be transferred only to a local body under Section 3 (a) of the Act read with Section 3 defining the term "local authority".

Mere functions cannot therefore be transferred to the Dy Comr. He may exercise these functions as District Magistrate.

If approved, the Dy Comr Bangalore City will be informed accordingly.

2/12/27

(PTO)

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

L.1729

App. F. III—2]

General and Revenue Secretariat. | L-B File No. 28 of 1927.

Serial No.

Under the Cattle Trespass Act District Magistrates have no power to establish Cattle pounds. The power can be transferred by Govt to some local body. The power re. Mul. areas is vested in the Mul Cls under the notification of 12th Jan 1927. The power in regard to D.B. areas was vested in Dt. Bds previously. The Bds have now no control over V Panchayets. The D.C. Bangalore proposes that the power may be vested in Des as they are in charge of Village Panchayet Admn. The proposal may be sanctioned. A notification will, if appd issue stating that the power of establishing pounds under Sec 4 of the Cattle Trespass Act vests in Village Panchayets with vests in D.B. Masters.

MW
29/12

First Member
Thro' Law Secy

Proposal may be sanctioned as Sec 4 empowers D.Bs to establish pounds

5287
30/12

I agree
Lee
31/12

Brabt
29.12
MW
29/12

NOTE—Contn. sheet.

WD 0324 -GPB—60,000—24-5-27

General and Revenue Secretariat. | GB File No. 98 of 1927.

Serial No.

Draft is submitted.

5/1/28

A G.O. is submitted as directed

12/1/28

Issued 15/7

Read 22/2/28

2 No L-4135-43-27-20 dt 1-1-28. To DC Bangalore Des of joint Dist Rev comm. States that Govt agree with the view that the power of establishing new cattle pounds in village Panchayat areas need not continue with DCs and directs that the same vest in the magistrate give Dist powers by Govt

WD 0324—GPB—60,000—24-5-27

5

No.C.9-1319/27-28. Office of the Deputy Commissioner,
Bangalore District

Bangalore, dated the 12th October 1927

GENERAL REVENUE SECTION 7292 18 OCT 1927 LOCAL SELF GOVT. BRANCH

From

G. B. Heblikar, Esq., B.A., LL.B.,
Deputy Commissioner,
Bangalore District.

To

R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to the Government
of Mysore, Bangalore.

Sir,

I have the honour to state ~~that~~ ~~Government~~ in their order No.10184-99/LB.1-14-71 dated the 15th June 1915 empowered the Presidents of Municipalities and District Boards to exercise the powers and functions of the District Magistrate under Sections 4, 5, 6, 12, 14 and 17 of the Cattle Trespass Act of 1871 as amended in Regulation 8 of 1892 in regard to cattle pound situated within their local jurisdiction and the Deputy Commissioners in their Revenue capacity were required not to exercise the powers. After the passing of the Village Panchayet Regulation the District Board ceased to exercise any powers over the Panchayets from 1st Februar 1927. Section 20(vi) of the Panchayet Regulation lays down that the management and maintenance of cattle pound is an obligatory duty of the Panchayet, and Government in their Notification No.L. 4509/LB.26-26-130 dated the 12th January 1927 have transferred the functions of the Magistrate of the District to village panchayets under sections 6, 12 and 17 in respect of pound situated within their local jurisdiction. But no mention is made therein of the authority to establish cattle pound vide section 4 of the Cattle Trespass Act, and the power conferred in the President, District Board for estabbishing cattle pounds has not been withdrawn.

2. Under the circumstances I am to enquire as to the authority that should take steps for the establishment of new pound. I might add that all the village panchayets are under the control of the Deputy Commissioner, and it is but appropriate that all powers under the Act relating to the establishment of cattle pound etc are vested in the Deputy Commissioner.

G.R.S. VI G 34]

SUBJECT

Diary No. of letter replied to 17291

Section

File No

Serial No

General and Revenue Secretariat

(L. S. G.)

Proceedings of the Government of His Highness the Maharaja of My

, *the* 192

Date of issue 20-1-1928

Signed by Mr. M. V. Iyengar

Read— G.O. No. 1018A-9 of the 15th June 1915 draw the attention of the Dy and the President of t and Rural Councils & Co 18283/L.F. 345-92 of the 1894, under which the pow functions of the Mu the District under Sectio 14 and 17 of the Cattle Tr Order Thereon No. of 1871, as amended by Re shall be exercised by the of Dist Boards and Rural regard to powers within local jurisdiction of respective Boards and

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

...ver Nos. L 4572-9/xx-B. 21-25
...2nd Jan. 1927) directing the
...the Trustees of Mud Cannich
...proceedings by the Magistrate of the
...Act under Sections 4, 5, 6, 12 and
...the Cattle Trespass Act and to the
...the Panchayats and Functions
...Magistrate of the District under
...ns 6, 12 and 17 of the Act in
...ed by the Forest Officer within
...respective local jurisdiction.
...Letter No. C-5-1-9/27-33 of the
...October 1927) from the
...Gazette Dept. (open Index etc. ~~Reading~~ Act after passing
...V. P. Regn., the District Board cannot
...exercise any powers over Panchayats
...19th Feb 1927, that Section 20(VI)
...V. P. Regn. lays down that the
...construction and maintenance of
...pound is an obligatory duty of the
...Board, ~~and that~~ the functions of
...Magistrate of the District have
...transferred to the Panchayats
...(vide Notn. of even No. dated 12th Jan. 1927),
...no mention is made therein of
...authority to establish Cattle pound
...under Section 4 of the Act ~~and Requesting~~
...informed as to the authority that
...to take steps for the establishment
...pounds in VP's.

Sections 6, 12 and 17 of the C. T Act

List of enclosures.

Copied by

Examined by

As all powers are under the control of the Dr the ~~Therefore request the Collector~~ ~~to Dr who~~ I ~~cannot state~~ is of Opinion that the powers under the ... Act relating to Cattle ...

WD 1883—GPB—1,000,00—21-12-21

G R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

L 4435-43

Order nil

Govt are pleased to agree with the view that the power of establishing new Cattle pounds in the Village Panchayat areas under Section 4 of the Cattle Trespass Act be vested in the Magistrate of the Dist.

Secl Secy

to

The Dy Comr, Bangalore Dist
" Dy Comrs of Other Districts
" Rev Comr.

12/1/20

WD 2330—GPB—1,00,000—23-7-20

7/1/20